

From: Jim Smith
To: Daren Rasmussen
Date: 6/16/2005 12:31:02 PM
Subject: PacifiCorp Rilda Canyon portal facilities in Emery County

Dear Mr. Rasmussen

The following is to provide information re: a letter sent to you by Alice B. CARLTON of the USFS, dated June 3, 2005 and concerning PacifiCorp's application to DOGM to install two portals in Rilda Canyon in Emery County. Alice's letter incorrectly states that a 10-yr, 24-hr event is the SMCRA, and therefore DOGM, design standard for these stream diversions.

The streams that are to be diverted fall under the definition of Miscellaneous Flows in the R645 Coal Mining Rules (R645-301-741.331).

The diversions are defined as temporary under the R645 Rules, even though they will be in place for an extended time (R645-100-200).

To provide protection against flooding and resultant damage to life and property, diversions of Miscellaneous Flow are to be configured to adequately and safely pass the peak runoff of a 2-year, 6-hour precipitation event for a temporary diversion and a 10-year, 6-hour precipitation event for a permanent diversion (R645-301-742.333).

By using a 10-yr, 24-hr storm, PacifiCorp has designed the diversions to handle runoff well above what is required by the R645 Coal Mining Rules.

I understand the USFS concerns, but lacking solid criteria, mandating more stringent design standards would be hard to defend, especially this late in the permitting process and considering the Permittee has already voluntarily sized the diversions to standards well above those dictated by the R645 Coal Mining Rules.

Thank you for your attention to this matter.

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